

# Policy Brief 6

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Commission for Gender Equality  
A society free from gender oppression and inequality

## Good Intentions, Poor Outcomes

Assessing Gender Mainstreaming in the Public Service in South Africa.

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## 1. INTRODUCTION

The public service in South Africa is a critical instrument through which government implements a wide variety of socio-economic policies and programmes to achieve its important strategic objectives. Similarly, the public service is best placed to play a potentially crucial role as an instrument for realising the country's commitment to gender transformation. Since the dawn of democracy in 1994, South Africa has adopted a plethora of national policies, legislations, programmes and plans aimed at promoting gender equality and mainstreaming in all spheres of life. In addition, the country has assented to numerous regional, continental and global protocols, declarations and treaties whose key objective is to advance the goal of gender equality.

As more and more citizens begin to make increased demands on the state to deliver critical social services such as clean water, waste removal, sanitation services, housing, education, local economic development and others, available but limited public resources and institutional capacity of the public service have become increasingly over-stretched, meaning that technocratic or administrative choices are often made by the state to reflect current political priorities.

The Commission for Gender Equality (CGE) has conducted a study<sup>1</sup> on gender mainstreaming in selected government departments and institutions at national, provincial and local level, which appears to suggest that while gender equality is identified as an important policy goal, it is only one among many – and possibly not one of the most urgent policy goals. The study, based on information obtained through the Commission's online tool (the Gender Barometer) sought to assess

the extent to which selected organs of state have made progress in promoting gender equality and transformation in the public service.

The CGE undertook this study as part of its constitutional mandate to promote respect for, protection, development and attainment of gender equality. The Commission carries out its work through undertaking research, public education, policy development, legislative initiatives as well as monitoring and evaluating the policies and practices of organs of state, statutory bodies or functionaries, and other institutions.

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This Policy Brief draws on the findings of the study, and focuses on identifying relevant findings, policy implications and recommendations for the purpose of Policy Dialogues to be convened by the Commission, involving senior policy-makers and other key stakeholders in South Africa.

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<sup>1</sup> Commission for Gender Equality Gender Barometer Report 2012

## 2. METHODOLOGY, APPROACH AND LIMITATIONS

This study was conducted in 2012 and is based on data obtained through the Commission's Gender Barometer tool (an online electronic questionnaire). Participating government departments and other selected state institutions were identified purposely, with specific individuals assigned by their departments and institutions to complete the online questionnaire and submit it to the Commission.

The online questionnaire consisted of questions soliciting a combination of qualitative and quantitative information on various aspects of gender mainstreaming, such as policies, programmes, processes and practices put in place by the participating institutions to promote respect for gender equality and to ensure its protection and attainment. The institutions identified and selected for this study were two national departments (Human Settlements and Public Works) and their provincial departments, as well as two municipalities from each province.

The study encountered a number of constraints which impacted on the quality and quantity of the information received for purposes of analysis. <sup>2</sup>

Among the key limitations was the fact that the majority of the institutions that participated in the study failed to provide complete or comprehensive information in line with the questionnaire. Many of the government departments and municipalities that had been identified and briefed to participate in the study refused to complete the online questionnaire.

Another important limitation of the study is that in cases where participating institutions did provide information, the quality and accuracy of that

information was woefully inadequate. In virtually all cases, either very limited information was submitted or crucial details were omitted.

Finally, the response rate from selected provincial departments and municipalities was very poor. This means that caution should be exercised to avoid inappropriate generalisation of the findings of the study to all provincial departments and municipalities. At best, the findings should be seen as broadly indicative of potential issues of concern affecting gender mainstreaming in the public sector in South Africa.

## 3. BACKGROUND AND RELEVANT FRAMEWORKS

South Africa's participation in gender-related dialogues dates back to the mid-1970s, when the country participated in the first international women's conference held in Mexico in 1975. The conference marked the United Nations Decade for Women. This was followed by another conference in Copenhagen in 1980, where the UN announced the Decade for Equality, Development and Peace, which contributed significantly towards the advancement of the status of women at international, regional and national levels.

<sup>3</sup> The Nairobi Conference on the Review and Appraisal of the Achievements of the UN Decade for Women: Equality, Development and Peace followed in 1995. The conference was considered a milestone as it created a road map for the development of the principles of the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) and other international instruments that followed. The fourth conference on the same agenda was held in Beijing in 1995, where

<sup>3</sup> UN (1986) Report of the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women:

the concept of Gender Mainstreaming was coined. South Africa has acceded to or ratified a number of international instruments such as CEDAW<sup>4</sup>; the 1995 Beijing Declaration Platform of Action; the Millennium Development Goals; the African Charter on Human and People's Rights; the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa; the SADC Protocol on Gender and Development; the Solemn Declaration on Gender Equality; and the International Labour Organisation's Convention on the attainment of equality in the workplace.<sup>5</sup> South Africa is obligated to ensure that these international instruments are domesticated

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## South Africa is obligated to ensure that these international instruments are domesticated and implemented effectively.

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and implemented effectively. This Gender Barometer study was part of the CGE's constitutional mandate to monitor the country's effective compliance not only with its own national policies and legislation, but also its compliance with regional, continental and global instruments on gender mainstreaming.

## 4. RESEARCH FINDINGS

This Policy Brief will focus on a limited number of aspects of the research findings of the study. In particular, it will focus on personnel, organisational gender profiles, measures by institutions to create an enabling environment for gender mainstreaming, and capacity building issues.<sup>6</sup>

### 4.1 Department of Human Settlements

This section reports on the findings of the study as they relate to efforts by the Departments of Human Settlements to promote gender mainstreaming through internal processes, practices, structures and procedures. The focus is mainly on aspects of the findings of the study for departments at provincial level.

#### 4.1.1 Organisational or Institutional Personnel Profile

The findings indicate that the involvement of women in the decision-making structures of the department is still limited. Men dominate the decision-making structures across all the provinces that provided information, except in Mpumalanga where women in the provincial Department of Human Settlements constitute 55.3 per cent of the planning structure.

This generally skewed representation of women at higher level decision-making structures suggests continued general reluctance within the department to comply with the 50/50 national policy target for women's and men's representation in decision-making structures. This also fails to adhere to the government's Medium Term Strategic Framework which calls for full participation of women within high-level decision-making structures.

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<sup>4</sup> UN (1979) Convention on the Elimination of Discrimination Against Women

<sup>5</sup> CGE (2010) Gender Barometer Report: Case Study

<sup>6</sup> For more details of the findings, please refer to the original research report, Commission for Gender Equality, Gender Barometer Report 2012.

The findings also show that more men than women participate in development project planning across the provinces. The Eastern Cape is the only exception, with women making up 71 per cent of those involved in the provincial development planning committees. Based on the evidence obtained during this study, it would seem that the Department of Human Settlements is performing poorly in terms of prioritising the empowerment of women in its internal processes.

#### **4.1.2 Measures to create an enabling environment for gender mainstreaming**

There were diverse responses from the provincial Departments of Human Settlements on their initiatives in terms of creating an enabling environment for gender mainstreaming. However in many instances initiatives were undermined by insufficient capacity (i.e. skills, knowledge, understanding of gender policies and legislation, etc.), lack of resources (i.e. funds, skilled personnel, etc.) or ineffective implementation.

The department in various provinces identified a number of efforts to create an enabling environment for gender mainstreaming. For instance the Free State Department of Human Settlements pointed to employment equity reports that are shared with all the managers to acknowledge the gaps and rectify them. In Mpumalanga the department reported that its organisational culture and values are based on principles such as service excellence, accountability, integrity and diversity.

In Limpopo the department listed several initiatives such as raising awareness of gender mainstreaming compliance issues among its staff, the introduction of provincial policy guidelines for the involvement of Gender Focal Persons (GFPs) in

decision-making and tender processes that place emphasis on women contractors. In Northern Cape the department pointed to the existence of a Gender Forum that identifies and raises gender issues and formulates recommendations. For Gauteng, guidelines are in place to guide the participation of women in decision-making for the department and the municipalities, flexi-time and day-care centers for mothers, and mentoring by women executives.

Several provinces listed a number of legal, policy frameworks and other instruments as guiding instruments. Among these were the Basic Conditions of Employment Act, Broad Based Black Economic Empowerment Act, the Constitution of the Republic of South Africa, the Employment Equity Act, the Promotion of Access to Information Act, the Public Finance Management Act, the Public Service Act, and the Skills Development Act. Although all these laws were indicated as creating an enabling environment for a number of provinces, financial constraints and lack of institutional capacity were mentioned as obstacles to effective implementation.

In addition to lack of resources, poor institutional capacity and ineffective implementation, it is clear that other factors that are critical towards facilitating gender mainstreaming are missing. These include insufficient buy-in from senior departmental management and lack of political will.<sup>7</sup>

#### **4.1.3 Capacity building for gender mainstreaming**

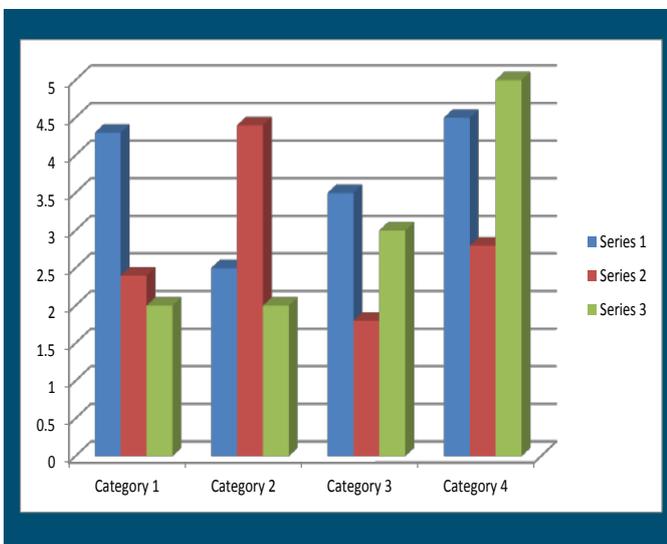
The issue of capacity was one of the predominant challenges raised by the majority of provincial departments that participated. While this report is based on limited information from those departments that participated in the study, it is still

<sup>7</sup> Nitasha Moothoo-Padayachee (2011) Gender Mainstreaming in the South African Public Service: Alternative International Journal ([www.alterinter.org/snip.php?Article.3555](http://www.alterinter.org/snip.php?Article.3555))

clear that insufficient efforts are expended by the department in various provinces on staff training and skills development related to gender mainstreaming. For instance in Limpopo only two training sessions were presented for 83 officials (61 of whom were women), and 68 bursaries were provided (for beneficiaries who were predominantly women). In the Eastern Cape the department claimed to have offered skills development to its staff, but failed to specify the skills provided. For other provinces such as Northern Cape and Gauteng, very little or no training was reported, due either to lack of information or poor implementation of plans. Therefore while some positive initiatives were identified in some provinces, the level of commitment by senior management and leaders was clearly inadequate.

**4.2 Department of Public Works**

The department has a gender directorate that serves to drive the department's gender programmes and related activities. The Gender Focal Person is located within the Directorate, with the responsibility to monitor and evaluate departmental projects and programmes to ensure that they are consistent with the national gender policy.



However, the findings of this study indicate that the responsibilities of the Gender Directorate stretch beyond gender issues to include issues such as disability, youth and children. This means that the work of the Directorate is not focused exclusively on gender mainstreaming, increasing the likelihood of lack of clear focus and limited resources.

**4.2.1 Organisational or Institutional Personnel Gender Profile**

The findings on the representation of women within decision-making structures in the Department of Public Works are similar to those of the Department of Human Settlements. Men dominate the decision-making and planning structures, comprising 58 per cent of those represented within the structure.

The findings further indicate steep variance in terms of representation of women within development projects, with women's representation only constituting 17 per cent. These findings indicate that there is lack of adherence and compliance with the government initiatives through mechanisms put in place to ensure 50% representation of women within decision-making structures.

**4.2.2 Measures to create enabling environment for gender mainstreaming**

The department acknowledged that its programmes are not sufficiently addressing issues of compliance with national, regional and international obligations on gender equality and women's empowerment. The findings also indicate that even though the gender policy is in place, there are no monitoring and evaluation tools or systems to measure the extent and impact of its implementation. In addition to the gender policy, the department also pointed to the existence of the

Employment Equity Act as well as a draft Women's Empowerment Strategy. However these were not being effectively implemented and monitored.

The findings also indicate difficulties with the department's information management systems which lacked gender indicators and gender-disaggregated data. The department's performance appraisal system does not make provision for integrating gender performance indicators in the performance agreements and contracts of senior managers. This appears to indicate a clear lack of buy-in at the highest level of the department in terms of mainstreaming gender through departmental performance management processes and procedures. This is also an indication of the low priority that gender mainstreaming appears to occupy within the work of the department.

#### 4.2.3 Capacity Building for Gender Mainstreaming

The issue of lack of capacity building was one of the key findings of this study within the two departments. For both, Gender Focal Persons generally did not have adequate knowledge of gender issues. In other words lack of training, poor knowledge of gender-related policies and legislation, and lack of understanding of the key challenges facing gender mainstreaming are factors currently hindering progress in terms of mainstreaming gender within the two departments. It was also found that the Gender Focal Persons had limited understanding of the existing regulatory frameworks and obligations related to gender mainstreaming. There was a general lack of knowledge of gender budgeting – a key policy mechanism that enables government to set priorities and underpin the

allocation of the necessary resources for gender mainstreaming in the public service.

## 5. Policy Implications

The findings of the study, as discussed above, are limited by the poor responses from government departments. Nonetheless they raise a number of policy implications that policy-makers need to take cognizance of. The first policy implication is that the country's public service institutions generally remain reluctant to prioritise gender equality. This is due to lax monitoring and enforcement mechanisms. Available research evidence appears to suggest that the senior levels of the public service are bastions of male privilege. The result is that gender mainstreaming policies, strategies and plans are not being implemented effectively, if at all.

Secondly, the country's capacity to implement policies and programmes effectively is weakened by lack of appropriate skills, knowledge and understanding of crucial policies, programmes and plans, which compromise its ability to comply with international protocols and declarations. Thirdly, while the country has assented to all the key regional, continental and global protocols on gender equality, its ability to turn policy intentions, statements and commitments into clear and practical action plans around gender mainstreaming remains sorely lacking.

For instance the SADC Gender and Development Protocol which calls for 50/50 gender parity in all decision-making positions is still far from being achieved because many public service officials are not aware of government's policy commitment towards this target. This also puts the country at risk of not

meeting the target in Goal 3 of the millennium development goals (MDGs).

Fourthly, the continued absence of an enabling environment for gender mainstreaming within many organs of state, as evidenced by the ineffective implementation of policies and lack of monitoring systems, implies that the existence of policies alone will not yield the desired results. Effective internal enforcement mechanisms or contractual obligations, accompanied by punitive provisions at senior management levels, will also be necessary.

## 6. POLICY RECOMMENDATIONS

The following key policy recommendations are derived from the findings of the study as contained in the research report:

- A thorough audit and review of current institutional mechanisms, systems and structures for promoting gender mainstreaming in government should be carried out.
- There is a need for the national gender machinery to be revived and strengthened to monitor and oversee the implementation of gender mainstreaming across different policy sectors.
- A national awareness campaign should be initiated through the national gender machinery, to raise awareness of gender equality and gender mainstreaming within government and other relevant organs of state. Greater attention should be placed on increasing knowledge of current

national policies, programmes and plans as well as gender mainstreaming targets.

- It is imperative that state institutions provide the necessary training and skills development for relevant officials (including Gender Focal Persons) as part of improving institutional capacity for gender mainstreaming within the public service. In addition, improving senior managerial commitment towards gender mainstreaming should entail better and more effective enforcement and greater accountability through performance management systems (e.g. incorporating gender mainstreaming and performance indicators into employment contracts for senior public service managers).







## MANDATE:

Section 187(1) of the Constitution of South Africa reads: "The Commission for Gender Equality must promote respect for gender equality and the protection, development and attainment of gender equality." The CGE is a catalyst for the attainment of gender equality. Section 187(2) grants the CGE "the power, as regulated by national legislation, necessary to perform its functions, including the power to monitor, investigate, research, educate, lobby, advise and report on issues concerning gender equality."

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